

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANK F. LOCKMAN, JR.,
Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS MEDICAL, et al.,
Defendants.

Case No. 2:23-cv-00282-GMN-NJK

ORDER

(Docket Nos. 7, 8)

On May 22, 2023, this Court issued an order granting Plaintiff until August 23, 2023, to either pay the full \$402 filing fee for a civil action or to submit a fully complete application to proceed *in forma pauperis*. Docket No. 6. On August 17, 2023, Plaintiff filed two motions. Docket Nos. 7, 8. Plaintiff first requests a 90-day extension to file a fully complete application to proceed *in forma pauperis*.¹ Docket No. 7. Plaintiff further asks the Court to order the Nevada Department of Corrections (“NDOC”) to provide him copies of his inmate trust account and the financial certificate so that he can complete his application to proceed *in forma pauperis*. Docket No. 8.

The Court grants in part and denies in part Plaintiff’s motion seeking an extension of time. ECF No. 7. The Court extends the deadline until **October 6, 2023**, for Plaintiff to either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents. The Court denies without prejudice Plaintiff’s motion to order the NDOC to provide him with copies of his inmate trust account and the financial certificate. Docket No. 8. The Court will, however, send Plaintiff a courtesy copy of the approved form application to proceed *in forma pauperis* for an inmate and instructions for the same.

¹ The Court notes that this is Plaintiff’s second motion seeking a 90-day extension. *See* Docket No. 5.

1 Accordingly,

2 **IT IS ORDERED** that the motion to extend time, Docket No. 7, is **GRANTED** in part and
3 **DENIED** in part. Plaintiff has until **October 6, 2023**, to either pay the full \$402 filing fee or file
4 a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a
5 completed application with the inmate's two signatures on page 3; (2) a completed financial
6 certificate that is signed both by the inmate and the prison or jail official; and (3) a copy of the
7 inmate's trust fund account statement for the previous six-month period.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
9 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to
10 refile the case with the Court, under a new case number, when Plaintiff can file a complete
11 application to proceed *in forma pauperis* or pay the required filing fee.

12 **IT IS FURTHER ORDERED** that Plaintiff's motion at Docket No. 8 is **DENIED** without
13 prejudice.

14 The Clerk of the Court is **INSTRUCTED** to send Plaintiff the Court's approved form
15 application to proceed *in forma pauperis* for an inmate and instructions for the same.

16 DATED: August 22, 2023.

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19 NANCY J. KOPPE
20 UNITED STATES MAGISTRATE JUDGE
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